



**REQUIRED STATEMENT  
TO ACCOMPANY MOTIONS FOR RELIEF FROM STAY**

All Cases: Debtor(s) Roger S Agustin and Uma P Agustin Case No. 17-28116 Chapter 13

All Cases: Moving Creditor JPMorgan Chase Bank, National Association Date Case Filed 09/20/2017

Nature of Relief Sought: ☒ Lift Stay ☐ Annul Stay ☒ Other (describe) Dismiss

Chapter 13: Date of Confirmation Hearing \_\_\_\_\_ or Date Plan Confirmed 11/17/2017

Chapter 7: ☐ No-Asset Report Filed on \_\_\_\_\_  
☐ No-Asset Report not Filed, Date of Creditors Meeting \_\_\_\_\_

1. Collateral

- a. ☒ Home  
b. ☐ Car Year, Make, and Model \_\_\_\_\_  
c. ☐ Other (describe) \_\_\_\_\_

2. Balance Owed as of Petition Date \$ 21,451.02  
Total of all other Liens against Collateral \$ 146,732.00

3. In chapter 13 cases, if a post-petition default is asserted in the motion, attach a payment history listing the amounts and dates of all payments received from the debtor(s) post-petition.

4. Estimated Value of Collateral (must be supplied in *all* cases) \$ 222,000.00

5. Default

- a. ☒ Pre-Petition Default  
Number of months 0 Amount \$ 0.00  
b. ☒ Post-Petition Default  
i. ☒ On direct payments to the moving creditor  
Number of months 3 Amount \$ 252.21  
ii. ☐ On payments to the Standing Chapter 13 Trustee  
Number of months \_\_\_\_\_ Amount \$ \_\_\_\_\_

6. Other Allegations

- a. ☒ Lack of Adequate Protection § 362(d)(1)  
i. ☐ No insurance  
ii. ☐ Taxes unpaid Amount \$ \_\_\_\_\_  
iii. ☐ Rapidly depreciating asset  
iv. ☒ Other (describe) Failure to make post-petition payments  
b. ☐ No Equity and not Necessary for an Effective Reorganization § 362(d)(2)  
c. ☐ Other "Cause" § 362(d)(1)  
i. ☐ Bad Faith (describe) \_\_\_\_\_  
ii. ☐ Multiple Filings  
iii. ☐ Other (describe) \_\_\_\_\_

- d. Debtor's Statement of Intention regarding the Collateral  
i. ☐ Reaffirm ii. ☐ Redeem iii. ☐ Surrender iv. ☐ No Statement of Intention Filed

Date: 2/11/2020

/s/ Amanda J. Wiese

Counsel for Movant